Invoice of Sundry Goods on board the Brigantine Joseph Emperor Moseley Master at the time She was taken by the Schooner Eagle Brazilla Smith Commander

		£	s	d
2080 Bushels Salt	2/	208	0	0
50 quarter Butts fine Sherry	£20	1000	0	0
2 Casks Cont.d 200 Biscuits Bark	80/	800	0	0
3 Jars Raisins	50/	7	10	0
9 Barcelona Hand.ks		6	10	0
1 Cask Brandy 10 Gallons	15/	7	10	0
3 Gallons Rum	15/	6	0	0
3 doz Bottled Wine		10	0	0
20 lb Powder	12/	12	0	0
1 Jar Sweet Oil		3	0	0
1 Case Cont.d 15 Bottles		2	0	0
2 Bolts Canvas		16	0	0
2 Cks Bread		4	0	0
2 ditto Pork & Beef		10	0	0
Sundry Cabin & Other Stores		10	0	0
Brigantine Joseph Valued at		1500	0	0
Equal to 13,686¼ Dollars	£	5,474	10	0

State of North Carolina } ss
Chowan County }

Emperor Moseley late Master of the Brigantine Joseph came before me Charles Bondfield Esquire and made oath on the holy Evangelists of almighty God that at the time he was taken by the Privateer Eagle commanded by Brazilla Smith all the articles above mentioned to the best of his knowledge & belief were on board the said Brigantine Joseph except part of two quarter Butts of the Wine which he believes were leaked out and further this deponent saith not, ——

Emperor Moseley

State of North Carolina }
Chowan County } ss. On the third day of November 1777 Then Emperor Moseley personally appeared and being first carefully examined and duly Cautioned to Testify the whole truth made oath to the truth of the foregoing deposition by him Subscribed taken at the request of John Hancock Esquire and to be used at the Superiour Court of Judicature next to be held at Boston within and

N.C.E. 9.4.A

and for the County of Suffolk in the State of Massachusetts Bay on the third Tuesday of February next in a cause there to be tried by appeal in which the said John Hancock Esquire President of Congress was original Plantiff and Elijah Freeman Paine and others defendants, the deponant living and being more than thirty Miles from Boston the place of Tryal is the cause of taking this deposition and the Adverse party living more than twenty miles from Edenton the place where it is taken was not notified nor present at the Caption, ——

Sam. Bonfield J. P.

RW 494 (1)

RW 494(3)

State of North Carolina

His Excellency Richard Caswell Esquire
Governor, Captain General and Commander in
Chief of North Carolina

To all to whom these Presents shall come

These are to Certify That Charles Bonfield Esquire before whom the foregoing Depositions of Emperor Moseley were made, was at the time of taking the said Depositions, and now is one of the Justices Assigned to keep the Peace in the County of Chowan within this State; And that full Faith and Credit is and ought to be given to such his Attestation in Judgment Court and thereout.

In Testimony whereof I have hereunto set my Hand and caused the Seal of the said State to be hereunto affixed at New Bern this eighteenth day of November in the Year of our Lord One thousand seven hundred and seventy seven. And in the second Year of the Independence of the said State.

R Caswell

By His Excellency's Command

Glasgow Sec.y

Opened & filed in Court —
Boston February Term 1794

Att A. Smith Clerk

Written by Jacob Burns

RU494(7)

State of North Carolina }
Chowan County } Ss

Impeen Moseley late Master of the Bugantine Joseph came before me Charles Bondfield Esquire and made oath on the holy Evangelists of almighty God that he this deponant was Master of the said Brigt. Joseph and sailed with her under his command from the Bar of Ocacock in this State on the Twenty second day of January One thousand Seven hundred and Seventy Six with a Cargo of Pipe Staves and Sail on a Voyage to Cadiz in Spain, that the said Bugantine Joseph and her Cargo was the property of Joseph Hewes & Robert Smith Esquires Merchts in Edenton to the best of his knowledge & belief and that no other person as he verily believes had any Share in either Vessel or Cargo, that he was consigned to Messrs. Duff & Welch Merchants in Cadiz, that he arived at the said Port of Cadiz on the Twenty third of February following and delivered his Cargo to Duff & Welch and received from them & others a quantity of Salt Wine & other Articles as by an Invoice hereto annexed will more fully appear and was ready to Sail from the Port of Cadiz for the Port of Edenton in the State of North Carolina aforesaid on the Twenty third day of march following, when three British Ships of War appeared off the harbour of Cadiz where they continued to Cruize till some time in October, that on their first appearing he this deponant applied to Messrs. Duff & Welch for their Advice how he should proceed, that they the said Duff & Welch told him the British Ships then Cruising off the harbour were Commanded by Sir Thomas Rich, that they were well acquainted with the said Commander, that they would give him the deponant a Letter directed to one Mr. Vance a friend of theirs in the Island of Dominico by which it would appear that the cargo on board the Bugantine Joseph. was the property of them the said Duff & Welch and if the British Ships aforementioned should meet this deponant at Sea they the said Duff & Welch did not doubt on his producing them Letter to their friend Mr Vance that Sir Thomas Rich would suffer him to pass, but if he did not and should carry him this deponant to Vessel into Gibraltar they the said Duff & Welch would Claim the Cargo as their property and as they were Subjects of the King of Spain they should get it restored to them, for this reason & this only he this deponant agreed to take the said Letter from Duff & Welch for Mr Vance in which they told him they had enclosed a Bill of Lading for his Cargo, that he this deponant did not intend to go to the Island of Dominica with

with the Vessel & Cargo but proceed directly home to his Owners in North Carolina and that the said Letter was never intended to answer any other purpose but to get clear of the British Ships of War then cruising near the harbour of Cadiz, That this deponant having no Register for his said Vessel but an American Register and knowing her to be American property and finding that the British Ships were run off the harbour almost every day he did not chuse to venture out notwithstanding the said Letter to Mr Vance as he did not think it would secure his Vessel altho it might secure the Cargo, he therefore determined to stay in Port till he had reason to believe the Coast was clear of British cruisers, That he lay in the Port of Cadiz with his Vessel until the beginning of October when he was informed by Duff & Welch that the British Ships were gone to Gibraltar, That on the ninth day of October One thousand seven hundred & Seventy Six he this deponant sailed from Cadiz with a fair Wind and proceeded directly for the Port of Edenton in North Carolina until the Tenth day of November following being then in or near the Latitude of 35. 39 Longitude 57 when he was stoped by an Armed Schooner, That an Officer and two men from the said Schooner came on board his Bygentine and told him that the said Schooner was a Privateer called the Eagle and Commanded by Brazilla Smith, That he this deponent must go on board the Privateer with his Papers, That he went on board her and carried with him the Register of his said Vessel, Bill of Lading & Certificate of the Landing his Cargo in Spain also several Letters for his Owners & for sundry other persons in Several of the States of America, That after the Officers of the said Schooner had opened & read most or all of the said Letters they asked him if he had no other papers on board, he told them he had not, meaning that he had none that respected the Vessel and Cargo, That they afterwards examined his Chest and took out of it sundry papers that related to his own private affairs among which were several notes for money due to him in North Carolina also the Letter that Duff & Welch had given him directed to their friend Mr. Vance in the Island of Dominico, That he this deponant did not observe that the Officers of the said Privateer laid any particular Stress on that Letter more than any other paper, That he did not consider it as of any consequence at all after he had staid Several months in Cadiz till that Coast was clear of British Cruisers, That he this deponant thinks it must appear very plain to every honest man that he had no intention of going to Dominico he being then in the Latitude of 35. 39 (say thirty five & thirty nine) and Longitude Fifty Seven and was steering a Westerly course with the Wind at North a little westerly when the said Schooner appeared, That he this deponant was to very wide of the Course from Spain to Dominico at the time he was illegally Seized by the said Privateer, and so directly on the Course from Spain to North Carolina that he cannot think it is possible for any person to believe he was going to Dominica, That after the Officers of the said Privateer Schooner had examined all his papers as well those that they had taken

RW 1947

Taken out of his Chest as those he had delivered to them himself it appeared to him this deponent that they would have released him and permitted him to pursue his Voyage had not the people on board the said Schoona insisted that the Brigantine should be carried to Boston, and this deponent verily believes from the Conversation he heard among the Officers and Men belonging to the said Privateer Schooner that they would have suffered him to proceed on his Voyage if the before mentioned Privateer Schooner had not some time before taken another Brigantine called the Fanny belonging to his said Owners Messrs. Hewes & Smith, That from the before mentioned Conversation it appeared to this deponent that the Officers & men belonging to the said Privateer Schooner were of Opinion that his Owners before mentioned were inimical to the cause of American freedom and this Opinion he verily believes was the reason of their taking the Brigantine Joseph from him and ordering her to Boston, This deponent further saith that on the Eleventh day of November 1776 the Officers and Men from the said Privateer Schooner Eagle took possession of his said Brigantine the Joseph and put a Prize master and Six Men on board of her and took out of her his Mate and Two Men and carried them on board their Schooner, That they then put him on board the Brigantine Joseph, That the Prize master told him this deponent the Privateer Schooner Eagle belonged to Elijah Freeman Payne of Boston, That soon after the Prize Master & his men had taken possession of the said Brigantine Joseph they unstowed the Wine that was on board put one Cask of it on board the Privateer and brought another Cask into the Brigantines Cabin from whence they drew it out as they pleased That on the Seventeenth day of November following at 12 O Clock this deponent took an observation and found the Brigantine was then in Latitude 33 North That he then desired the Prize master who had the charge of her to take care he did not get on the Rocks of Bermuda before the next morning, That this deponent thought they must be near to the said Island and the Wind being then at North West & they had then Starboard tacks on board, he thought there was danger, to which the Prize master replied he was aware of eight degrees to the Eastward of the Island of Bermuda, That about Two O Clock in the morning of the Eighteenth of November the Brigantine Joseph struck on the Rocks of the said Island and after beating some time she went off and they came to an Anchor in Ten Fathom Water and lay till about Ten O Clock when Several Boats came from the Shore the people of which conducted the said Vessel clear of the said Island, That this deponent being very much dissatisfied with the conduct of the Prize Master and his Crew and seeing no probability of doing

any

any Service for his Owner by staying on board the said Bugantine he thought it prudent and Necessary for his own safety to leave her, That he applied to the Prize Master and obtained his permission to go on Shore in one of the Boats that came to their Assistance, That he landed on the said Island of Bermuda in the afternoon of the eighteenth of November from whence he got a passage to this State and further he saith not,

Emperor Moseley

State of North Carolina }
Chowan County }ss

On the Third day of November 1777 then Emperor Moseley Personally Appeared and being first carefully examined and duly cautioned to testify the whole truth made Oath to the truth of the foregoing deposition by him Subscribed taken at the request of John Hancock Esquire and to be used at the Superiour Court of Judicature next to be held at Boston within and for the County of Suffolk in the State of the Massachusetts Bay on the third tuesday of February next in a cause there to be tried by appeal in which the said John Hancock Esquire President of Congress was Original Plantiff and Elijah Freeman Paine and others defendants, the deponant living and being more than thirty Miles from Boston the place of tryal in the cause of taking this deposition and the Adverse party living more than Twenty miles from Edenton the place where it is taken was not notified nor present at the Caption

Jna. Bondfield J. P.

RW 494(11)